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			CONFIRMATION NO.		
01/13/2000	Per S. Andersen	0459-0391P	7006		
7590 04/09/2004			EXAMINER		
HARNESS, DICKEY & PIERCE, P.L.C. P.O.BOX 8910 RESTON, VA 20195		CHAMPAGNE	CHAMPAGNE, DONALD		
		ART UNIT	PAPER NUMBER		
		3622	21		
	04/09/2004 KEY & PIERCE, P	04/09/2004 KEY & PIERCE, P.L.C.	04/09/2004 EXAMI KEY & PIERCE, P.L.C. CHAMPAGNI 0195		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)	
Advisory Action	Advisory Action	09/482,462	ANDERSEN ET AL.	
	, navidary modern	Examiner	Art Unit	T
		Donald L. Champagne	3622	MG
	The MAILING DATE of this communication app	ears on the cover sheet with	the correspondence add	dress
There final a condi	REPLY FILED 23 September 2003 FAILS TO PLA efore, further action by the applicant is required to a rejection under 37 CFR 1.113 may only be either: (1 tion for allowance; (2) a timely filed Notice of Appearination (RCE) in compliance with 37 CFR 1.114.	avoid abandonment of this ap 1) a timely filed amendment w	plication. A proper repl which places the applica	ly to a ation in
	PERIOD FOR R	EPLY [check either a) or b)]		
fee har fee un (2) as		Advisory Action, or (2) the date set later than SIX MONTHS from the r.S FILED WITHIN TWO MONTHS (e date on which the petition under 3 of extension and the corresponding of the shortened statutory period for fice later than three months after the	nailing date of the final reject DF THE FINAL REJECTION. TO CFR 1.136(a) and the apport amount of the fee. The apported to the properties of the fee.	ion. See MPEP ropriate extension ropriate extension Office action: or
1.⊠	A Notice of Appeal was filed on <u>24 November 2003</u> 37 CFR 1.192(a), or any extension thereof (37 CF	. Appellant's Brief must be f	iled within the period se sal of the appeal.	t forth in
2.	The proposed amendment(s) will not be entered by	pecause:		
(a	a) $\square$ they raise new issues that would require furth	ner consideration and/or sear	ch (see NOTE below);	
(t	b) \( \square\) they raise the issue of new matter (see Note	below);		
(0	they are not deemed to place the application issues for appeal; and/or	in better form for appeal by r	naterially reducing or si	mplifying the
(0	they present additional claims without cancel NOTE:	ling a corresponding number	of finally rejected claim	ns.
	Applicant's reply has overcome the following reject			
4.	Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	d be allowable if submitted in	a separate, timely filed	amendment
5.🛛	The a) $\boxtimes$ affidavit, b) $\square$ exhibit, or c) $\boxtimes$ request fo application in condition for allowance because: $\underline{Se}$	r reconsideration has been c ee Continuation Sheet.	onsidered but does NO	T place the
6.	The affidavit or exhibit will NOT be considered bed raised by the Examiner in the final rejection.	cause it is not directed SOLE	LY to issues which wer	e newly
7.🛛	For purposes of Appeal, the proposed amendmen explanation of how the new or amended claims w	ut(s) a) will not be entered would be rejected is provided	or b) will be entered a below or appended.	and an
	The status of the claim(s) is (or will be) as follows:			
	Claim(s) allowed:			
	Claim(s) objected to:			
	Claim(s) rejected: <u>1-50</u> .			
	Claim(s) withdrawn from consideration:			
8.	The proposed drawing correction filed on is	a) approved or b) dis	sapproved by the Exami	iner.
gΠ	Note the attached Information Disclosure Statemen			

U.S. Patent and Trademark Office PTOL-303 (Rev. 04-01)

10.⊠ Other: <u>See Continuation Sheet</u>

Donald L. Champagne Examiner Art Unit: 3622





Continuation of 5. does NOT place the application in condition for allowance because: Evidence is considered after final only when it promises to put the application into condition for allowance with nominal further consideration. Applicant has submitted a declaration, on seven pages, which clearly requires more than nominal consideration.

Continuation of 10. Other: The rejections under 35 USC 112 will be withdrawn upon the filing of an appeal brief.

